

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-5991-2023

Date of Decision:-22.11.2023

Ashok Kumar.

.....Petitioners.

Versus

State of U.T., Chandigarh & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. A.P. Kaushal, Advocate for the Petitioner.

Mr. Rajiv Vij, Addl. P.P., U.T., Chandigarh.

Mr. Ankush Thakral, Advocate for respondent no.2.

JASJIT SINGH BEDI, J. (ORAL)

The present petition has been filed for quashing of FIR No.186 dated 30.12.2022 under Sections 379-A, 34 IPC registered at P.S. Central, Sector 17, Chandigarh and all other consequential proceedings arising therefrom, on the basis of compromise dated 30.01.2023 (Annexure P-2) entered into between the parties.

Vide order dated 22.08.2023, this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 22.08.2023 with regard to the compromise dated 30.01.2023 (Annexure P-2).

In terms of the order dated 22.08.2023 passed by this Court parties have appeared before the court of Mr. Rajeev K. Beri, Additional Sessions Judge, Chandigarh and as per report dated 31.10.2023 submitted to

this Court, both the parties have got recorded their respective statements in Court.

Perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. In view of the compromise there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.PC can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in *Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052* and *Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543*.

In view of the aforesaid report of the learned Additional Sessions Judge, Chandigarh accompanied by statements of both the parties, the FIR No.186 dated 30.12.2022 under Sections 379-A, 34 IPC registered at P.S. Central, Sector 17, Chandigarh and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 22, 2023
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No